

THE HONORABLE BARBARA J. ROTHSTEIN

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

MICHAEL HARPER, SUE HARPER, MELANIE
JAQUESS, CHUCK SALLADE, and MICHAEL
MALONE, individually and on behalf of classes of
similarly situated individuals,

Plaintiffs,

v.

T-MOBILE US, INC.,

Defendant.

No. 2:21-cv-1169-BJR

**STIPULATION AND ORDER TO
EXTEND TIME TO ANSWER
COMPLAINT**

Under Western District of Washington Local Rules 7(d)(1) and 10(g), Plaintiffs Michael Harper, Sue Harper, Melanie Jaquess, Chuck Sallade, and Michael Malone and Defendant T-Mobile US, Inc., (the “Parties”) stipulate that T-Mobile’s deadline to answer or otherwise to respond to the Complaint, currently set for October 21, 2021, shall be extended pending the Court’s ruling on T-Mobile’s pending motion to stay proceedings, ECF No. 20. If the motion is denied, T-Mobile’s deadline to answer or otherwise respond to the Complaint shall be 30 days after the denial of the motion. If the Court grants the motion to stay, any deadline will be set following resolution of the motion to transfer pending before the Judicial Panel on Multidistrict Litigation (“JPML”).

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(No. 2:21-cv-1169-BJR) - 1

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1 Good cause exists for this extension because Plaintiffs filed a motion with the JPML to
 2 transfer all cases related to an August 2021 data-security incident for coordinated or consolidated
 3 pretrial proceedings under 28 U.S.C. § 1407. *See In re T-Mobile Customer Data Sec. Breach Litig.*,
 4 MDL Docket No. 3019 (J.P.M.L. filed Aug. 23, 2021) (ECF No. 1). Plaintiffs, T-Mobile, and
 5 plaintiffs in related cases have noticed numerous cases as related that should be transferred. *See*
 6 *id.* (ECF Nos. 2, 8-1, 11, 20, 48, 62, 65). The extension will conserve judicial resources by
 7 potentially avoiding motion practice that may ultimately turn out to be unnecessary depending on
 8 how the litigation develops and progresses in light of anticipated consolidation into an MDL.

9 Dated: October 18, 2021

10 By: /s/ Steve Y. Koh

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24 STIPULATION AND ORDER TO EXTEND TIME
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ORDER

IT IS SO ORDERED.

Dated this 19th day of October 2021.

s/Barbara J. Rothstein

Barbara J. Rothstein
U.S. District Court Judge

Presented By:

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